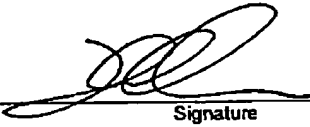


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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 333772000900	
		Application Number 10/772,327	Filed February 6, 2004
		First Named Inventor Ankan PRAMANICK et al.	
		Art Unit 2863	Examiner S. Kundu
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>51,543</u></p>		<p> Signature</p> <p><u>Thomas Chan</u> Typed or printed name</p> <p><u>(650) 813-5616</u> Telephone number</p> <p><u>July 25, 2006</u> Date</p>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>			
<p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-6300, on the date shown below.

Dated: July 25, 2006

Signature: 

(Sheena Hicks)

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Dated: July 25, 2006

Signature: Sheena Hicks

(Sheena Hicks)

Docket No.: 333772000900
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ankan PRAMANICK et al.

Application No.: 10/772,327

Confirmation No.: 4514

Filed: February 6, 2004

Art Unit: 2863

For: METHOD AND APPARATUS FOR TESTING
INTEGRATED CIRCUITS

Examiner: S. Kundu

ARGUMENTS ACCOMPANYING PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The following arguments are presented in support of the Pre-appeal Brief Request for Review being filed concurrently with a Notice of Appeal. Reconsideration and allowance of the pending claims are respectfully requested.

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REMARKS

In an Advisory Action Mailed on June 28, 2006, the Examiner maintained the rejection of pending claims 1-24. Specifically, claims 1-5 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,028,439 (the Arkin reference). Claims 6-8, 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,028,439 (the Arkin reference) in view of U.S. Patent Application Publication No. US 2002/0183955 A1 (the Adler reference). Applicants request reversal of the Examiner's rejection in view of the following remarks.

In the June 28, 2006 Advisory Action, although the Examiner stated that "Examiner agrees with the applicant", the other statements made by the Examiner still indicate there are disagreements between the Examiner and the Applicants regarding the facts of the present invention and the facts of the Arkin reference.

Specifically, the Examiner stated that "The Arkin reference teaches a test module which is interactive with the site controller and it is in a plug-and-play manner with the DUT" and "if applicant would amend the claim so that the site controller itself is used in a plug-and-play manner interactively with the test module; this would overcome the prior art of record." (emphasis added) Based on these statements, Applicants submit that the Examiner has not understood the meaning of the term "plug-and-play" according to the present invention. From the first statement, the Examiner seems to suggest the Arkin reference teaches a test module that can be attached/detached from the test system. This is clearly not what the Arkin reference teaches. From the second statement, the Examiner seems to suggest the site controller of the present invention can be attached/detached from the test system. This is clearly not what the present invention teaches or claims.

To better understand the issue, let's consider the statement "a computer controls a digital camera interactively in a plug-and-play manner" as an example. A person skilled in the art would understand this statement to mean it is the digital camera that can be attached/detached from the computer. Therefore, the site controller controls a test module interactively in a plug-and-play manner as claimed in the present invention means the test module can be attached/detached from the

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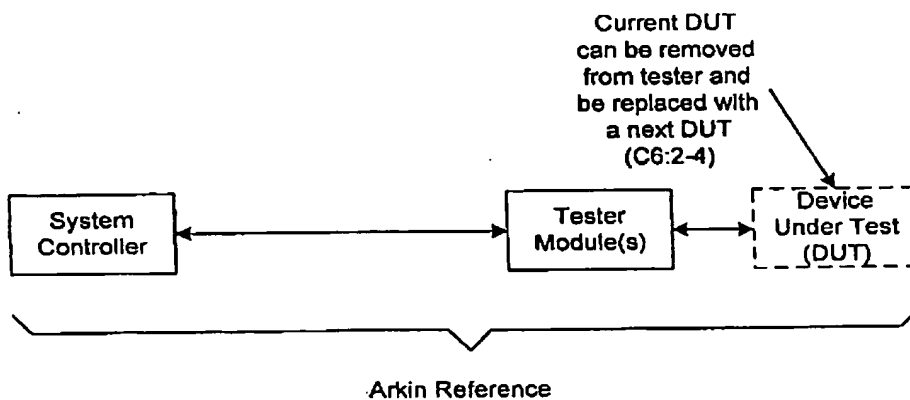
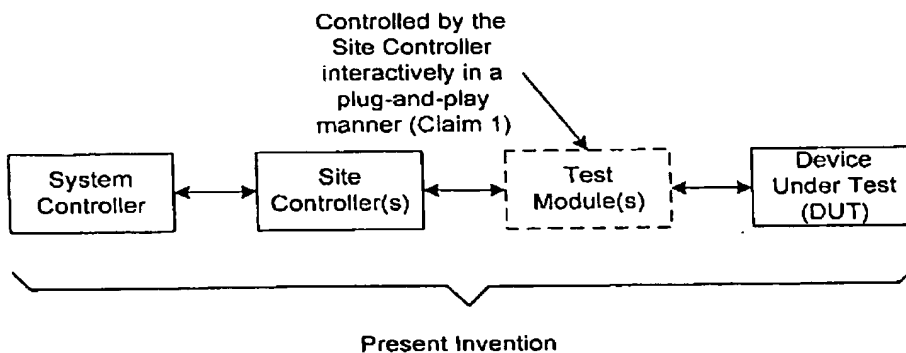
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site controller (and therefore the test system). The Arkin reference clearly does not disclose this feature of the present invention.

In addition, the Examiner still has not specifically responded to the Applicants argument that the Arkin reference does not disclose the structure of **System Controller-Site Controller(s)-Test Module(s)-DUT(s)** of the present invention, which is distinguished from the structure of **System Controller-Tester Module(s)-DUT(s)** disclosed by the Arkin reference (see depictions of the respective structure below).



This argument was initially brought to the attention of the Examiner in the amendment after Final filed on December 5, 2005, then in the phone interview and in the amendment to the

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Non-final Office Action (note RCE filed on December 22, 2005) on April 13, 2006, and finally in the June 14, 2006 response to the Final Office Action. Applicants believe that it is essential to address this distinction before one can appreciate the claim limitation that "wherein the associated site controller controls at least one test module interactively with the associated site controller in a plug-and-play manner." By addressing this distinction, the Examiner can better answer the questions of which element in the Arkin reference is the site controller and how that site controller element controls the test module interactively in a plug-and-play manner.

The Examiner has relied on the disclosure of the Arkin reference that a DUT can be removed and replaced with a next DUT as allegedly anticipates a test module that can be detached/attached from the site controller and the test system (i.e. the capability of a site controller controlling a test module interactively in a plug-and-play manner). In fact, the Arkin reference is silent about whether the test module can be removed or replaced. It is a fact that a DUT is different from a test module according to both the present application and the Arkin reference.

Therefore, for at least the reasons presented above, Applicants assert that claim 1 is allowable over the Arkin reference. Applicants also assert that claims 2-24, which variously depend from independent claim 1, are allowable for at least the reason that they depend from an allowable independent claim.

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CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 33772000900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 25, 2006

Respectfully submitted,

By 

Thomas Chan

Registration No.: 51,543

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